IN THE HIGH COURT OF BOMBAY AT GOA

Writ Petition No. 176/2005.

Shri Sehajanand Investments Private Limited, A Company duly incorporated under the Indian Companies Act, 1956 having its Office at 9, Diamond Chambers, 18th June Road, Panaji, Goa. ..... Petitioner.

V/s.

1. Rui Pinto, sole Proprietor of M/s. Pinto Real Estate, having its registered Office at Pinto Arcade, Campal, Panaji, Goa.

2. M/s. Pinto Real Estate Dealers, A registered Partnership Firm, having its Office at Betim, Bardez, Goa.

3. Shri Jose Cristovao Pinto married, of full age, Indian Citizen, residing at Betim, Bardez, Goa.

4. Shri Jorge Jose Pinto, bachelor, of full age, Indian Citizen, residing at Betim, Bardez, Goa.

5. Shri Fernando Sylvester de Sa Pinto, married of full age, Indian citizen, residing at Betim, Bardez, Goa. ..... Respondents.

Mr. V. Bodke, Advocate for the petitioner.

Mr. Shivan Dessai, Advocate for the respondents.

CORAM : R.M. LODHA, J.

DATE : 27TH OCTOBER, 2005.

ORAL JUDGMENT :

Heard. Rule, returnable forthwith. By consent, Rule is heard forthwith at this stage.

2. The learned Counsel for the parties agree that without indicating reasons, the impugned Order dated 17/03/2005 be set aside.

3. Consequently, the writ petition is allowed. The impugned order dated 17/03/2005 is quashed and set aside. The Trial Court shall now hear and decide the objections filed by the present respondents and proceed with the execution application accordingly. The Trial Court is expected to expeditiously dispose of the objections raised by the present respondents No.1 to 3 (Judgment-debtors).

4. Rules is made absolute in the aforesaid terms. No costs.

R.M. LODHA, J.

ssm.